IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 30TH OCTOBER 2007 / 8TH KARTHIKA 1929

Bail Appl..No. 6539 of 2007()

(CRIME NO.94 OF 2007 OF KARTHIKAPPALLY EXCISE RANGE)

PETITIONER/ACCUSED:

MOHANAN,S/O. KURUPPAN
HOUSE NO.2, PALAPPARAMBU,
LAKSHAM VEEDU, KARUVATTA,
KARUVATTA NORTH MURI, KARUVATTA VILLAGE,
KARTHIKAPPALLY TALUK.

BY ADV. SRI.S.SANAL KUMAR

RESPONDENT: COMPLAINANT:

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

R.BASANT, J

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B.A.No. 6539 of 2007

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Dated this the 30th day of October, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 750 ml of arrack on 8.10.2007. The petitioner was arrested and he continues in custody from that date. The learned Public Prosecutor submits that there is history of criminal antecedents for the petitioner(two other cases).

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigators are granted sufficient further time to complete the investigation and I am satisfied that petitioner can be directed to be enlarged on bail subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 07.11.2007. The Investigating Officer shall, in the meantime, make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to

the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE